

HOUSE BILL 992

L2

11r1717

By: **Calvert County Delegation**

Introduced and read first time: February 11, 2011

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Calvert County – Regulation of Roads**

3 FOR the purpose of authorizing the County Commissioners of Calvert County, by
4 ordinance, to regulate the grading, constructing, improving, maintaining, and
5 repairing of certain roads; authorizing the County Commissioners to regulate
6 the construction and maintenance activities of private and public utilities in
7 county rights-of-way; authorizing the County Commissioners to regulate access
8 to county-owned roads; authorizing the County Commissioners to establish
9 certain minimum standards for new roads; authorizing the County
10 Commissioners to regulate the engineering and constructing and acceptance
11 into the county roads system of certain new public roads, bridges, sidewalks,
12 curbs, gutters, and storm drainage facilities; authorizing the County
13 Commissioners to establish certain fees and provide for certain civil penalties;
14 providing for the enforcement of an ordinance enacted under this Act in the
15 same manner and to the same extent as certain municipal infractions;
16 authorizing the County Commissioners to seek other remedies provided by law;
17 providing for the application of this Act; and generally relating to the authority
18 of the County Commissioners of Calvert County to regulate roads in the county.

19 BY adding to

20 Article 25 – County Commissioners

21 Section 11

22 Annotated Code of Maryland

23 (2005 Replacement Volume and 2010 Supplement)

24 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
25 MARYLAND, That the Laws of Maryland read as follows:

26 **Article 25 – County Commissioners**

27 **11.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(A) THIS SECTION DOES NOT APPLY TO A PRIVATELY OWNED ROAD IN**
2 **CALVERT COUNTY THAT HAS BEEN CONSTRUCTED ON OR BEFORE SEPTEMBER**
3 **30, 2011.**

4 **(B) BY ORDINANCE, THE COUNTY COMMISSIONERS OF CALVERT**
5 **COUNTY MAY:**

6 **(1) REGULATE THE GRADING, CONSTRUCTING, IMPROVING,**
7 **MAINTAINING, AND REPAIRING OF COUNTY ROADS AND NEW ROADS INTENDED**
8 **FOR FUTURE PUBLIC USE, INCLUDING ROADS PROPOSED FOR ANY SUBDIVISION**
9 **APPROVED BY THE CALVERT COUNTY PLANNING COMMISSION, WHETHER**
10 **RECORDED OR PROPOSED, INCLUDING SIDEWALKS, CURBS, GUTTERS,**
11 **DRIVEWAY ENTRANCES, STORM DRAINAGE FACILITIES, AND APPURTENANCES**
12 **TO BE LOCATED IN THE SUBDIVISION;**

13 **(2) REGULATE THE CONSTRUCTION AND MAINTENANCE**
14 **ACTIVITIES OF PRIVATE AND PUBLIC UTILITIES IN COUNTY RIGHTS-OF-WAY;**

15 **(3) REGULATE ACCESS TO COUNTY-OWNED ROADS;**

16 **(4) ESTABLISH MINIMUM STANDARDS TO WHICH A NEW ROAD IN A**
17 **SUBDIVISION IN CALVERT COUNTY MUST BE CONSTRUCTED BEFORE THE**
18 **ISSUANCE OF A BUILDING PERMIT THAT PERTAINS TO A LOT SERVED BY THE**
19 **ROAD;**

20 **(5) REGULATE THE ENGINEERING AND CONSTRUCTING OF ANY**
21 **NEW PUBLIC ROAD, BRIDGE, SIDEWALK, CURB, GUTTER, AND STORM DRAINAGE**
22 **FACILITY PROPOSED FOR ACCEPTANCE INTO THE COUNTY ROADS SYSTEM;**

23 **(6) REGULATE THE ACCEPTANCE OF ANY NEW PUBLIC ROAD,**
24 **BRIDGE, SIDEWALK, CURB, GUTTER, AND STORM DRAINAGE FACILITY INTO THE**
25 **COUNTY ROADS SYSTEM;**

26 **(7) ESTABLISH FEES TO DEFRAY THE COST OF REVIEWING PLANS**
27 **AND PERFORMING INSPECTIONS FOR THE CONSTRUCTION OF ROADS IN**
28 **ACCORDANCE WITH AN ORDINANCE ENACTED UNDER THIS SECTION; AND**

29 **(8) PROVIDE FOR A CIVIL PENALTY FOR VIOLATION OF AN**
30 **ORDINANCE ENACTED UNDER THIS SECTION.**

31 **(C) A VIOLATION OF AN ORDINANCE ENACTED UNDER THIS SECTION**
32 **SHALL BE ENFORCED IN THE SAME MANNER AND TO THE SAME EXTENT AS**

1 PROVIDED FOR MUNICIPAL INFRACTIONS UNDER ARTICLE 23A, § 3(B) OF THE
2 CODE.

3 (D) IN ADDITION TO ANY REMEDIES PROVIDED FOR UNDER AN
4 ORDINANCE ENACTED UNDER THIS SECTION, THE COUNTY COMMISSIONERS OF
5 CALVERT COUNTY MAY SEEK OTHER REMEDIES PROVIDED BY LAW.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2011.